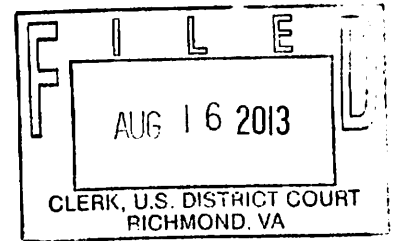IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

EPLUS INC.,

    Plaintiff,

v.   Civil Action No. 3:09cv620

LAWSON SOFTWARE, INC.,

    Defendant.

ORDER

Having considered DEFENDANT LAWSON SOFTWARE, INC.'S MOTION AND MEMORANDUM TO ADMIT EVIDENCE (Docket No. 1046), and the response thereto, it is hereby ORDERED that the motion is denied because the proffered exhibits are: (1) excerpted testimony that is an incomplete version of the testimony and the complete version of the testimony already is in the record; and (2) segments of the trial transcript reflecting opening statements and closing arguments that are not evidence and hence should not be admitted as evidence. Because validity of the patent is not at issue in this proceeding, there is no reason to allow the testimony of the inventors or the validity experts. In addition, Lawson did not disclose the testimony of inventors or the experts on validity on its list of witnesses for the contempt proceeding.

It is so ORDERED.

                             /s/

                             Robert E. Payne
                             Senior United States District Judge

Richmond, Virginia
Date: August 16, 2013